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## **Learning lessons or unearthing truths? Using evidence to inform mediation policy**

*This article assesses the potential for evidence-informed policymaking in the field of mediation. It argues that one of the key barriers to evidence-informed policymaking in this area is the disjointed character of the existing literature and finds that methodological and theoretical tensions lie at the heart of policy debates around mediation. While differences in theoretical, epistemological and normative perspectives of the existing research have made it difficult for policymakers to draw clear conclusions from the available evidence, the article nevertheless identifies a degree of convergence around certain key themes such as the importance of legitimacy in determining conflict outcomes, and the benefits of combining quantitative and qualitative methods. It concludes by highlighting the importance of policy experimentation, evaluation, and building capacity for policy learning in mediation policymaking.*

**Key words: mediation, qualitative methods, quantitative methods, evidence-informed policymaking**

Since the end of the Cold War, more conflicts have been ended by negotiated settlements, and a greater range of actors have become regularly involved in mediation activities. This expansion in the scale and scope of peacemaking activities has coincided with a growing concern with understanding 'what works' in the field of peacebuilding, prompted by a broader drive to increase accountability and cost-effectiveness. Donors and international organisations have sought to improve the way in which they can measure and demonstrate the impact of peacebuilding interventions and to generate evidence about what kinds of intervention are

most effective.<sup>1</sup> Donor agencies have also shown growing interest in pursuing a more systematic approach to managing existing knowledge about mediation, and to enhance the professionalism of mediation practice.<sup>2</sup> The UN has led this trend through the Mediation Support Unit (MSU) (established in 2005), which seeks to systematise knowledge in the field of mediation, train mediators and promote UN standards and operating procedures. In 2012, the MSU published 'Guidance for Effective Mediation', which sought to strengthen parties' 'understanding of effective mediation'.<sup>3</sup> Similarly, the UK's Stabilisation Unit (founded in 2007) has established a 'stabilisation and conflict lessons resource', which summarises the 'most useful lessons, analyses, toolkits and case studies' to inform stabilisation policy.<sup>4</sup> While there has been a shift towards systematising knowledge and incorporating evidence into mediation policy, these efforts are at a relatively early stage compared with development policy, or domestic policy fields such as health and education.<sup>5</sup>

This article aims to assess the suitability of an evidence-informed policymaking (EIPM) approach to the field of mediation. It begins by taking stock of the available evidence on mediation effectiveness. Section one provides a brief overview of some general trends in the field of third party mediation. Section two examines fundamental questions about the effectiveness of negotiated settlements. Section three assesses the two bodies of literature on mediators and approaches to mediation. Section four draws together the findings, highlighting several points of consensus and linking these to mediation key policy issues. The article concludes by reflecting more broadly on the potential for EIPM in the field of mediation, drawing on insights from the wider literature on evidence-informed policymaking.<sup>6</sup> The conclusions highlight a number of potential difficulties associated with using evidence in this field, and suggest a number of strategies for overcoming these. I stress that the traditional EIPM approach may not necessarily be the most effective model for improving mediation policymaking and suggest that Sanderson's (2009) 'intelligent policymaking' approach may be more appropriate. This approach draws on insights from complexity theory and emphasises the

importance of combining policy experimentation, evaluation and building capacity for policy learning.

## **MEDIATION POLICY AND RESEARCH**

Mediation is not an obvious area for evidence-informed policymaking. Various factors, including the fact that mediation takes place in a variety of political and cultural contexts, a lack of clarity about what constitutes success, the secrecy surrounding mediation support activities, and the long-term nature of most war to peace transitions, make it difficult to assess the effectiveness of interventions in this area. Assessing the effectiveness of mediation efforts is also made more challenging by the fact that peacemaking interventions have become more complex since the end of the Cold War. Mediation has traditionally been conducted in an ad-hoc, informal way and mediation policy has only become an established area during the last ten to fifteen years.

Contemporary approaches to conflict resolution have been characterised by a multi-dimensional approach where a neutral third party mediates between conflict actors and is supported by other local, regional and international players.<sup>7</sup> The main features of this model include the bolstering of official 'track one' level interventions with unofficial peacemaking efforts at the national and local levels; the use of incentives and disincentives (diplomatic, military and economic) to influence conflict actors' decision-making processes; and a focus on generating peace agreements based on power sharing arrangements. As will be examined below, these trends have highlighted clear divisions in the epistemological and theoretical frameworks used by analysts of conflict resolution and mediation.<sup>8</sup>

When contrasted with fields such as health and education policy where evidence-based policymaking was pioneered, mediation is highly politicised. Governments and organisations engage in mediation not simply because it is deemed to be an effective tool for building peace, but also because it can fulfil a range of other strategic goals. This applies most obviously to

global powers such as the United States, or regional actors, who will typically be motivated primarily by security interests, or a desire to be seen to 'do something' when faced with a political crisis overseas.<sup>9</sup> Even weaker mediators such as Qatar and Norway, however, may engage in mediation as a means of boosting international prestige or shoring up security.<sup>10</sup> Seemingly neutral actors such as the UN can be seen to engage in mediation as a means of fulfilling certain institutional or bureaucratic goals. The UN's move to establish a depoliticised MSU can be interpreted as an attempt by the UN to carve out a new niche for itself in an increasingly crowded mediation field, or as part of a broader strategy to maintain its influence and legitimacy in the field of mediation.<sup>11</sup>

The disjointed nature of existing research on mediation serves as another important barrier to EIPM in the mediation field. This paper looks at two broad areas of literature on the effectiveness of mediation. First, a large body of cross-country large-n studies on civil war termination and intervention, which has been supplemented in recent years by a number of studies examining the determinants of successful third-party mediation. This literature seeks to examine systematically the variables that affect the success of mediation efforts. It typically relies on multiple regression analysis – a statistical technique that is used to ascertain the relationship between various factors and the likelihood of peace. Research of this kind generates clear (though often contradictory) lessons about which kinds of mediators and mediation approaches are most likely to be most effective and under which circumstances. This research has the clear benefit of allowing comparisons to be made between cases, but has been hampered by problems with datasets, timeframes, and proxies, and by issues surrounding the general suitability of cross-country quantitative comparison as a tool for examining complex processes heavily determined by the specificities of a particular conflict setting. Broadly speaking, most of the quantitative literature on mediation draws on a rationalist 'mediation as manipulation' or 'mediation as power' approach, which is associated with the realist school of international relations.

A key criticism of this literature is that it has failed to provide a clear picture of which of the many factors associated with success or failure in the field of peacemaking are most important and why. It can be argued that since this argument was made in the mid-1990s there has been a degree of convergence on the broad categories of factors that might affect mediation success. These include characteristics such as conflict intensity, conflict type, key mediator characteristics, the composition of mediator groups, and timing of mediation.<sup>12</sup> While authors such as Laurie Nathan have argued that identifying general patterns in mediation outcomes is unhelpful and that policymaking must be firmly rooted in the specifics of each individual case, it is equally important to recognise the limits of context-specific lessons. It may be more useful to conclude that mediation policy should be informed both by both general lessons and context-specific ones.<sup>13</sup>

A second stream of research has focused on practical lessons generated from case studies of third-party intervention and conflict resolution. These studies, produced both by organisations active in the field of mediation and by academics, vary widely in terms of research methods.<sup>14</sup> While the quantitative literature focuses on problematising intervention, with little careful consideration of the policy implications, this more practitioner-oriented literature is arguably too pre-occupied with policy solutions, and lacks critical reflection on more fundamental assumptions associated with mediation and other peacebuilding interventions. Much of this research has been produced by individuals or organisations directly or indirectly involved in conflict resolution. It is closely associated with a 'facilitative' model of mediation that stresses concepts of neutrality, consensus and impartiality and as a result has typically underplayed the relations of power that structure mediation processes. This literature is better suited to capturing the complexity that characterises contemporary peace processes but is predominantly oriented towards identifying best practice, and can at times have a self-justificatory quality. It is important to stress that these two streams of literature do not

represent mutually exclusive enclaves of research. In reality, there has been considerable exchange of methods between authors adopting these two approaches.

As noted above, the two bodies of literature have traditionally been based on different assumptions about conflict and power. These different assumptions remain implicit in much of the research, which constitutes a major problem in the field and accounts for much of the disagreement amongst scholars.<sup>15</sup> Lanz et al differentiate between an 'interest-based, facilitative approach', employed by weak powers; a 'power-based, deal brokering' model, employed by more powerful mediators that apply carrots and sticks; and a 'transformative, long-term mediation' approach that involves intervention on a number of levels and seeks to transform the agendas of conflict actors.<sup>16</sup> Lloyd Jones distinguishes between manipulation (based on bargaining and power relations) and facilitative approaches to mediation (based on concepts of neutrality, consensus and impartiality).<sup>17</sup> As mediation efforts have become more collaborative and multi-dimensional in recent years, the neat distinctions proposed by these taxonomies have come under greater strain. Research from the case study literature in particular has placed a growing emphasis on the tensions associated with facilitative approaches and increasingly drawn on insights from the realist 'mediation as power' school.

As a result of the theoretical and epistemological differences between these two streams of research, the literature as a whole is disjointed. Despite these differences, however, the key policy prescriptions highlighted in both strands of research show some marked similarities. Important themes raised by analysts from both streams relate directly to the challenges generated by the emerging model of peacebuilding that has emerged since the Cold War and include the growing political complexity of contemporary peace processes, the role of legitimacy and perceptions in determining outcomes, and the interplay of external and internal interests.

## GENERAL TRENDS IN THIRD-PARTY MEDIATION

The number of conflicts that are terminated by negotiated settlement has grown since the 1990s. While only 5 per cent of all conflicts ended in a peace agreement in the 1980s, this figure had grown to 24 per cent in the 2000s.<sup>18</sup> Since the end of the Cold War, rebel groups have grown more successful in taking power or gaining concessions in a power-sharing agreement. In the 1960s, compromise outcomes resulted in about 20 per cent of cases. In the 2000s, that figure had doubled to 40 per cent.<sup>19</sup>

Although there are no reliable data for the number of peacemaking missions, evidence shows a remarkable tenfold increase in the number of 'Friends of the Secretary-General', contact groups, and other political arrangements that support peacemaking and post-conflict peacebuilding initiatives, from 1991 to 2007. This increase has been matched across all areas of peacebuilding – the number of peacekeeping forces has increased three-fold between 1998 and 2008, and there has been a rise in UN Security Council Chapter VII resolutions from 0 to 40 between 1989 and 2008.<sup>20</sup>

There have been significant changes in the global climate for peacemaking over the last decade. While peace settlements have become more frequent, they have also become more fragile and the likelihood of breakdown has increased.<sup>21</sup> There has been a diffusion of international decision-making, which has encouraged an expanded number of peacemaking actors to enter the fray. These include the UN (which continues to experience significant internal divisions surrounding its role in various contexts); 'middle power' mediators such as Norway, Qatar and Turkey; regional organisations; ad-hoc coalitions of states known as 'groups of friends'; and a greater role for non-governmental organisations.<sup>22</sup> Mediators with less strategic or coercive power have played a much more prominent role. According to Beardsley, '63 per cent of the mediation events are currently carried out by regional organizations, weak states, individuals or



NGOs'.<sup>23</sup> These trends have resulted in a 'dynamic and confusing terrain into which mediation is now deployed'.<sup>24</sup> There has also been an expansion in the objectives of these actors. In the 2000s, there was a growing recognition that external intervention should not end with the signing of a peace agreement, and that external actors should provide greater support in the post-war period, through close monitoring of progress in the implementation peace agreements, the provision of peacekeeping forces, support for security sector reform and disarmament, demobilisation and reintegration programmes, support for post-war elections and governance reform, and funding for post-conflict reconstruction programmes. As a result of these broad trends, third-party efforts to facilitate or mediate in conflict have become more closely bound up with related fields such as post-conflict stabilisation and reconstruction, statebuilding, and peace implementation.<sup>25</sup>

The literature highlights a number of issues with this new model of mediation. First, it has encouraged the emergence of 'forum shopping', where conflict parties seek to engage mediators who are supportive of their agenda at the expense of those who are not.<sup>26</sup> Second, the tendency for peace processes to be complex, protracted and bolstered by the provision of aid complicates conflict parties' incentives to participate. As Selby has argued, contemporary peace processes often provide opportunities for conflict parties to claim various benefits over a number of years without having to make any meaningful political compromises.<sup>27</sup> Third, as well as creating perverse incentives, the use of carrots and sticks alongside mediation processes can distract from core political issues. This effect has been noted in contexts such as Sri Lanka and the Occupied Palestinian Territories.<sup>28</sup> Fourth, the tendency for a greater number and range of external actors to be involved in the peacemaking processes creates coordination challenges, requiring lead mediators not only to work towards aligning conflict parties' interests, but also those of other international and regional players.<sup>29</sup>

## **ASSESSING THE TRACK RECORD OF NEGOTIATED SETTLEMENTS**

Before moving on to examine the mediation literature, it is important to note that there is considerable controversy surrounding the more fundamental question of whether or not providing support for negotiated settlements is more effective than non-intervention (allowing combatants to fight it out) or providing military support to one side or the other. Some quantitative studies on civil war termination provide a sobering counterpoint to the congratulatory tone of much of the literature on civil wars since the end of the Cold War, which was epitomised by the Human Security Reports of 2005.<sup>30</sup> Licklider's survey of peace settlements conducted between 1945 and 1993 found that negotiated settlements tended to break down more easily than military 'resolutions': over 50 per cent of negotiated settlements broke down five years after conflict.<sup>31</sup> These findings are broadly supported by more recent analysis by Monica Toft who looks at wars between 1940 and 2000 and finds that wars ending in a negotiated settlement are twice as likely to recur as those settled by military victory.<sup>32</sup> The findings of this literature are contested, however. Merz, for example, argues that an increased risk of conflict recurrence since the end of the cold war is not due to peace agreements or military victories becoming less stable but rather is the result of a larger proportion of wars ending without victory or settlement.<sup>33</sup>

Much of this literature can be criticised on the grounds that it overstates the negative consequences of failure and fails to consider fully the costs associated with non-intervention or military intervention.<sup>34</sup> The most recent Human Security Report shows that even when peace agreements fail to achieve lasting peace they usually lead to a large reduction in levels of violence.<sup>35</sup> Despite these reservations, the argument that seeking a negotiated settlement to conflict invariably constitutes the optimal path is clearly questionable. As Cramer has argued, it is a widely held misconception that the consequences of war and violence are entirely negative: war typically combines processes of destruction and positive change.<sup>36</sup>

A more recent body of literature (including both multi-country and detailed case studies) has highlighted the extent to which the emerging norms and policies associated with conflict resolution can create a range of moral hazards, increasing the incentives for rebels to start or continue fighting. Tull and Mehler make the case that as power-sharing arrangements and negotiated settlements have become more popular, they have increased the incentives for rebels to fight longer and harder to achieve a more beneficial settlement.<sup>37</sup> Kuperman argues that the emergence of the 'responsibility to protect' agenda creates similar incentives for sub-state groups to rebel.<sup>38</sup> De Waal describes how international actors intervening in conflict-affected countries become enmeshed in a 'political marketplace', distorting the market and therefore necessitating continued long-term involvement to maintain any peace agreement.<sup>39</sup> These arguments suggest that the relatively recent trend for negotiated settlements may in fact be driving up the overall number and duration of conflicts, an effect that is difficult to capture using cross-country multiple regression analysis.

To summarise, a range of studies have raised important questions about the broad track record of mediation interventions and negotiated settlements. This literature emphasises the problems associated with weak settlements, stresses the broader impact that patterns of intervention may have on the incentives of armed groups, and helps to raise issues that have (until recently, at least) been largely ignored by practitioners, including the potential benefits of non-intervention. As will be discussed in the conclusions, it is important that mediation policymakers consider the potential unintended consequences and costs associated with mediation before intervening.

## **ASSESSING MEDIATION – COMPARING FINDINGS FROM TWO BODIES OF EVIDENCE**

This section assesses the findings from the two bodies of literature in turn. These two types of literature generate different kinds of evidence. While the quantitative literature makes causal claims about the association between various characteristics of mediation and conflict outcome, the case study literature typically draws on examples to highlight a series of practical lessons and identify key issues for policymakers to consider. These two areas of literature also vary in terms of their goals. The quantitative literature seeks to identify general patterns through systematic analysis of variables across cases. The aim is to use empirical data to uncover underlying truths about the effectiveness of different mediation strategies. The case study literature generally pursues the more modest goal of drawing lessons or insights from particular cases often with the aim of directly informing policy in another context, or contributing to a body of experience from which practitioners can draw on in the future. These streams of literature also tend to come to different conclusions about the ultimate goal of mediation. While the quantitative literature has tended to ignore the question of whether mediation leads to longer-term stability (and issues of conflict resolution or transformation)<sup>40</sup>, the case study literature, on the other hand, has tended to undertake a broader assessment of mediators' contribution.

### ***Findings from the Quantitative Literature***

As will be illustrated by the studies mentioned in this brief overview, quantitative studies focus on different time periods, which undermine this literature's capacity to develop clear policy lessons. This is particularly problematic given the profound changes to mediation practice since the end of the Cold War (and recent fluctuations in the frequency and success of mediation interventions). These studies variously focus on civil wars and inter-state wars, with certain datasets (such as the Center for International Development and Conflict Management (CIDCM)) failing to differentiate between these two groups of conflicts.

There is general agreement that mediation makes peace agreements more likely. Beardsley et al claim that mediation leads to a five times greater probability of reaching an agreement compared to non-mediation, and a 2.4 times greater probability of longer-term reduction in tension.<sup>41</sup> Beber looks at conflicts between 1990 and 2005 and finds that mediated talks are significantly more likely to lead to settlements.<sup>42</sup>

Some quantitative research has sought to evaluate the relative effectiveness of different models of mediation. Most find that, broadly speaking, multi-dimensional approaches that involve a range of actors and styles are most effective. Svensson advocates a combination of powerful and biased and pure mediators.<sup>43</sup> This view is supported by Fisher who argues that a combination of official and unofficial interventions tends to be the most effective approach to addressing intractable conflicts.<sup>44</sup> A few studies challenge this dominant view. Boehmelt (looking at cases between 1965 and 2000) finds that the coalitions are most effective when they are not too narrow and not too broad.<sup>45</sup> Beber's study of 35 wars between 1990 and 2005, finds that multi-party mediation does not appear to be more effective than single-party mediation.<sup>46</sup>

Quantitative studies of mediation have also been heavily pre-occupied with the question of whether 'biased' or 'neutral' (or 'powerful' or 'weak') mediators are most effective. Savun, in an analysis of inter-state disputes between 1965 and 1995, finds that biased mediations are more successful than unbiased ones.<sup>47</sup> Similarly, Svensson argues that between 1989 and 2004 biased mediation processes are more likely to lead to 'elaborated institutional arrangements that are generally considered conducive to democracy and durable peace'.<sup>48</sup> In another paper, he finds that government-biased interventions are more effective than interventions that are biased towards rebels (which have no significant effect on conflict duration).<sup>49</sup>

### ***Lessons from the case study literature***

The case study literature focuses on a more nuanced set of lessons about which mediation strategies are most effective. This literature benefits from drawing on a range of in-depth case studies, and tends to capture inter-personal and political economy dynamics that are often missed by the quantitative literature. One of the problems with this literature is that there is sometimes a lack of critical reflection on many of the key assumptions that underpin the 'best-practice' model of mediation.<sup>50</sup> This literature is generally written by peace practitioners and researchers that share a common normative framework based on cosmopolitan liberal values, and in line with dominant peacebuilding discourse, which emphasises the importance of local ownership and participation.<sup>51</sup>

There is a broad consensus in the case study literature around the need to foster peace processes that are inclusive, participatory, well-coordinated and 'owned' by the conflict parties.<sup>52</sup> A number of studies highlight the need to include a broad range of actors in the process to ensure that the needs of minority groups and populations under-represented by the negotiating parties are reflected in any peace agreement.<sup>53</sup> These studies acknowledge that this kind of approach may be more difficult to achieve and require patience, but argue that it is more likely to produce an enduring settlement.

There is less agreement around the issue of time frames in peacemaking. Nathan has been critical of 'deadline diplomacy' in relation to the Darfur conflict, which he argues led to the failure of the Abuja negotiations.<sup>54</sup> This view is to some extent challenged by a comparative study by Sumanthra Bose.<sup>55</sup> He contrasts the 'incremental' approach pursued in Kashmir and Sri Lanka with the comprehensive approach exemplified by the Dayton and Good Friday Agreements, arguing that window of opportunity in the early stages of a peace process should be seized and all efforts should be made to force a comprehensive agreement.

The case study literature highlights five key themes. First, greater attention has been paid to understanding the role of legitimacy and perceptions in peace processes. Several studies have focused on the way in which international actors are perceived. As Biswas argues in a comparative study of peacemaking in Aceh and Sri Lanka, this can be a critical factor in determining success.<sup>56</sup> Whitfield recommends that donors should '[b]e alert to the risk of partiality or the appearance of it'.<sup>57</sup> Conflict parties' own strategies of legitimization are also important to understanding the dynamics at play in contemporary peace negotiations; peace processes provide opportunities for a range of participating and critical actors to generate legitimacy.<sup>58</sup> This literature stresses the need to understand the interface between domestic and international politics.

A second and related set of issues highlighted by this literature concerns the importance of understanding the interests of conflict actors. A number of studies have focused attention on the motivations of conflict actors.<sup>59</sup> The recognition costs associated with engaging in a peace process constitute a key interest for conflict parties, particularly non-state entities.<sup>60</sup> In interventions with multiple third parties, mediators will also need to develop a thorough understanding of the various interests of other intervening actors.<sup>61</sup> To some extent, the practitioner-oriented literature has become more alert to the possibilities of conflict parties entering into negotiation insincerely and open to the argument that entering into negotiations may not always represent the best course of action.<sup>62</sup>

Third, this literature has been concerned with the question of whether mediation processes will be more or less successful if 'spoilers' are included. Stedman has argued that successful peace processes depend upon a correct diagnosis of spoilers and an appropriate strategy for managing them.<sup>63</sup> Greenhill and Major challenge this approach, arguing that the real key to defeating potential spoilers 'lies in the possession and exercise of the material power to coerce or co-opt them, rather than in the capacity to discern their true character or personality type'.<sup>64</sup>

The fourth theme is the importance of context. Practitioners have increasingly emphasised the need for mediation and negotiation strategies to be tailored to the complex and contextually-specific environments in which they operate.<sup>65</sup> In Aceh, for example, where the Indonesian state was nervous about external intervention, a low-key mediation role that emphasised neutrality and incorporated regional actors was most appropriate.<sup>66</sup>

A fifth and final area concerns the varied styles and relationships of individual mediators that play a central role in determining success. Menkel-Meadow, in a review of trends in the literature on negotiation, notes that there has been a greater awareness of the 'power and effects of the personalities of particular negotiators'.<sup>67</sup> As Martin's descriptions of leading international mediators highlight, mediators draw on a range of different personal characteristics and these may be crucial determinants of success.<sup>68</sup>

## **LINKING EVIDENCE TO KEY POLICY ISSUES**

While this article has highlighted important epistemological and theoretical divisions between the main bodies of evidence on mediation policy, and argued that these gaps present an important barrier to EIPM, the overview above shows some limited consensus in terms of the findings generated by the two bodies of literature. First, there is some agreement around the general effectiveness of mediation as a tool for forestalling violent conflict, at least in the short term. While most studies concur that mediation is a relatively effective tool for generating peace agreements, the broader capacity of mediation interventions to resolve conflict over the long term is more widely questioned.



Second, both bodies of literature have emphasised specific forms of contextual understanding, which seek to reflect the increased complexity and multiple sources of legitimacy that function in contemporary peace processes. Authors from both streams of literature have argued that mediators should focus on developing an understanding of the 'complex interplay between conflict parties and regional and other external actors'.<sup>69</sup> There has been greater awareness that the way in which external actors are perceived plays a critical role in determining their effectiveness. These issues have been increasingly explored by authors using quantitative approaches such as Maoz and Terris and Svensson who find that the mediator's credibility (the extent to which she is seen as honest and capable of delivering agreements) affects mediation outcomes.<sup>70</sup> This recognition has been widely seen as implying that mediators should understand local actors' strategies of legitimation and be aware of the potential pitfalls of excluding domestic groups from the peace process.<sup>71</sup>

As well as uncovering a degree of convergence around key findings, examining the two bodies of literature also highlights some agreement about how the evidence base in the field of mediation can be improved. There has been a marked trend in the quantitative literature towards testing insights from large-n studies with examinations of country case studies (see, for example, Toft).<sup>72</sup> In recent years, researchers and practitioners have called for more work that combines statistical and case study methods.<sup>73</sup> A good example of research that uses a case study approach, but which draws on insights from the quantitative literature, comes from Olson and Pearson. Drawing on Licklider's statistical analysis of negotiated settlements between 1960 and 1994, they examine mediator characteristics for the seven successful cases identified during this period, using a combination of qualitative and quantitative analysis.<sup>74</sup>

A number of existing works illustrate how comparative analysis of case studies can yield useful insights and add nuance to findings from the quantitative literature. On the issue of mediator characteristics, for example, some authors have used comparative case study analysis to

examine whether certain types of mediator may be more or less suited to particular contexts. Bercovitch argues that more active forms of mediation may be needed in high-intensity conflicts to prevent escalation, while negotiation may be more appropriate in low intensity conflicts.<sup>75</sup> Conflicts where parties have similar political and social systems may be more open to active mediation strategies, whereas in conflicts where parties have few similarities, a more gradual strategy, which focuses on building trust, teaching negotiation skills, and clarifying key issues may be more appropriate.<sup>76</sup> Similarly, Crocker et al have argued that mediators adopting a facilitative approach to mediation (such as NGOs) may be more effective in contexts where sovereignty and recognition issues are at stake. Once some kind of mutual recognition has been made, leverage-based mediation techniques favoured by major powers may be more useful.<sup>77</sup>

Despite a growing appreciation of the importance of contextualised understanding of individual conflicts, this article's review of the existing evidence on mediation highlights a continued tension between two opposing views: on the one hand the belief in a 'best practice' model of mediation or a 'grand theory of mediation', and on the other the idea that interventions must be sensitive to context. This theoretical tension is closely linked to an ongoing debate amongst mediation policymakers about how to develop the capacity and the coordination required to meet the demands of the changing environment for mediation that has emerged since the end of the Cold War.

Authors such as Whitfield emphasise the need to enhance the mediation role of multi-lateral and regional institutions.<sup>78</sup> Rich governments can assist by providing financial support and sharing their experiences with a new group of emerging specialists such as the Panel of the Wise (a unit within the African Union's Peace and Security Council) or the UN Mediation Support Unit.<sup>79</sup> This shift towards a more co-ordinated, southern-driven approach to mediation has been interpreted as an appropriate response to a dramatically altered international political arena where emerging powers hold greater sway, and where there is less room for small states

to promote peace on their own. As Jan Egeland has argued, 'the time for the "lonely wolf" is coming to an end': mediation may have to be 'multilateralized again'.<sup>80</sup>

While bolstering the work of these kinds of institutions appears sensible given the geopolitical changes since the end of the Cold War, there are a number of potential dangers with this approach. First, large multi-lateral institutions lack the flexibility and adaptability that underpinned the successful peacemaking efforts of 'weak mediators' such as Norway. Flexible funding mechanisms, which included channelling money through NGOs, for example, enabled Norway to initiate secret talks in Guatemala, the Middle East and Sudan. The construction of large bureaucracies potentially undermines mediators' capacity to adapt institutional arrangements to particular situations, an approach that has proved useful for the Norwegians in some contexts.<sup>81</sup> Bureaucratisation also appears to downgrade the influence of individuals and inter-personal relationships in contributing to successful outcomes.

Second, calls for the devolution of responsibility away from individual states towards multilateral or regional bodies have been accompanied by a push for the field of peacemaking to be professionalised.<sup>82</sup> These efforts have been epitomised by the establishment of the UN's MSU, and more recently, in the UN's Guidance for Effective Mediation, published in 2012.<sup>83</sup>

Third, there is a potential tension between an approach that emphasises the development of context-specific political knowledge outlined above and training that encourages generic peacemaking skills and a more formalised and technical approach to these issues. The MSU, for example, aims to draw together experiences from different mediation contexts, and to develop operational tools that can be disseminated to members. The assumption that effective peacemaking is based on technical skills is again challenged by the experience of Norway, which tailored its engagement to context and for whom success was often underpinned by close personal relationships and an informal approach.<sup>84</sup> The quest for a 'textbook mediator' may be misplaced since success can emerge from a range of styles and tactics, and is often underpinned

by personal characteristics rather than technical skills.<sup>85</sup> Although in any given peace process there is usually some division of labour between specialist mediators and thematic or country experts, there is nevertheless a question about how resources in these two areas should be balanced.<sup>86</sup>

Efforts to improve the coordination of peace efforts are probably less contentious than calls for professionalisation of the mediation field. The emerging problem of competitive peacemaking has been highlighted by a number of authors<sup>87</sup> and as Barnes et al have argued peacemaking strategies will tend to be most effective when external actors prioritise peacebuilding over other interests and when there is some strategic coherence among external actors.<sup>88</sup> There has been a dramatic rise in more ad-hoc, informal 'groups of friends' mechanisms such as the International Contact Group in Somalia. There is some debate about whether formal or informal mechanisms of coordination are most effective and different arrangements have had mixed records of success.<sup>89</sup> One danger of the formal approach is a tendency to cast these coordination dilemmas as technical issues, when in fact they are related to emerging tensions between new and established powers in the international political system.

## **CONCLUSIONS**

This article has described some of the difficulties associated with using research to inform mediation policy. The existing literature continues to be riven by differences in assumptions, concepts and methods and this article has shown how these divisions continue to inform key practical debates relating to the capacities and coordination of peacemaking actors. Generating a solid evidence base has also been complicated by the fact that trends in conflict termination and mediation practice have changed considerably over a relatively short period of time. This issue presents particular difficulties for quantitative analysis that compares cases across very large time periods.

This article has shown that there is some consensus in the literature about the need to combine quantitative and qualitative methods as a means of bolstering the evidence base. Combining insights and approaches from both of the two areas of literature appears to provide a richer and more robust basis to inform policymaking. A growing number of quantitative studies are combining quantitative and case-study approaches to provide nuance to theories generated through statistical analysis and to support theory-building. The vast majority of research on mediation, however, remains confined to one or other of the two main bodies of research discussed in this paper. This narrow focus acts as a barrier to the potentially iterative relationship between describing and explaining that can emerge when qualitative and quantitative approaches are combined.<sup>90</sup> As several studies highlighted in this article have shown, case studies can help to elucidate specific questions about the process of mediation, while large-n studies can help to validate these hypotheses.<sup>91</sup> This paper has shown that looking at both of the main bodies of literature on mediation may constitute an important step to improving the evidence base by identifying potential inconsistencies in the assumptions that underpin different studies.

Another important barrier to evidence-informed policymaking in the field of mediation relates to the growing complexity of this field, both in terms of the range of actors involved, and the diversity of activities that are deployed in the practice of mediation. This not only presents a greater practical challenge for researchers and institutions seeking to systematise findings and knowledge. It also brings the fundamental tension between contextualised and generalisable forms of knowledge into sharper relief. As a wider array of actors are involved in mediation, we might expect to observe a greater range of cultural and theoretical assumptions approaches to mediation, making it more difficult to draw generalisable lessons or to generate policies that will win the support of all interested parties.

Evidence-informed policymaking does not simply rely on improving the evidence available to policymakers. It also depends on researchers developing a better understanding of the incentives that drive policymakers to look for evidence and their capacity to find and evaluate it. The uptake of research relies on a complex range of factors, which include institutional pressures on policymakers and coalitions of political interest and ideology.<sup>92</sup> As the development studies literature has shown, policy does not simply function as a tool for determining practice but also as a means of legitimising practice. It involves a constant process of negotiation whereby the interests of a range of actors involved are accommodated. As such, 'good' policy (policy which legitimises and mobilises political support both within institutions and amongst a range of interest groups) may be difficult to implement.<sup>93</sup> While on the surface the creation of specialist peacemaking institutions may help to improve the availability of evidence and mediators' capacity to evaluate it, this move may also have unintended political consequences that distort the EIPM process by creating incentives for these institutions to demonstrate success and to focus on success stories in their analysis.

Since the systematic application of evidence to the field of mediation is in its early stages, it is useful to draw on insights from the general literature on evidence-informed policy making. This literature has increasingly acknowledged the complexity of social and political systems and adopted dynamic, non-linear concepts and models to enhance understanding of processes of social and political change.<sup>94</sup> This literature illustrates both a number of ways in which the informal and ad-hoc character of existing mediation policymaking may be supportive of the EIPM process, and a number of areas where existing efforts could be enhanced.

A complexity perspective generates several important implications for policymaking. First and most importantly, it emphasises the importance of combining policy experimentation with a serious commitment to evaluation. This combined approach enables policymakers to trial innovative approaches and then to evaluate these efforts as the basis for policy learning. This

approach goes beyond current attempts within the mediation policy community to collect and systematise lessons by promoting a greater commitment to trialling and evaluating novel approaches, and building institutional capacities to do this. While some mediation actors have evaluated their peacemaking efforts, these evaluations are rare and are often not made public. Rather than seeking simple replicable models for effective peacemaking or promoting international best practice, a complexity perspective encourages policymakers to tailor their approaches according to context, make small changes, evaluate progress, and adjust accordingly.

The second key implication of a complexity perspective is the importance placed on combining different sources of knowledge. Sanderson has advocated an alternative to evidence-based policy making – ‘intelligent policymaking’ – which combines insights from both the complexity literature and John Dewey’s notion of ‘intelligence’ as ‘practical-moral reasoning’.<sup>95</sup> This approach encourages policymakers not only to draw on academic studies, but also on ‘reserves of experience, intuition, tacit knowledge and...hidden skills and capacities’.<sup>96</sup> The traditional ad-hoc informal approach to mediation has helped to facilitate this kind of knowledge exchange, and this process may be supported by more recent knowledge-sharing initiatives such as the MSU’s standby team of experts to assist mediators and parties. Sanderson also emphasises the importance of sharing knowledge between government and civil society. This is another area where existing mediation policy appears well attuned to the demands of this ‘intelligent policymaking’ approach – the importance of promoting inclusive peace processes is emphasised in policy documents by the UN and NGOs involved in mediation.<sup>97</sup> Future efforts to institutionalise EIPM within mediation policy may benefit from making these existing strengths more explicit.

Third, an approach to mediation informed by complexity theory should also involve a more holistic approach to understanding conflicts that goes beyond the ‘methodological

territorialism' or state-centric focus of most social science research and a key feature of both the quantitative and case study literature examined here. Ricigliano argues that peacebuilding interventions should start with a detailed analysis of the conflict system, which allows policymakers to 'follow the dynamic causal strings they encounter... following the analysis to its natural ends, regardless of whether it takes one across a national boundary'.<sup>98</sup> Finally, this perspective implies that policymakers have a more limited role in changing the dynamics of violent conflicts than they may like to think. It calls for greater realism from policymakers and a more careful, 'trial and error' approach to policymaking. Given the considerable costs and negative unintended consequences that are associated with mediation efforts, this more cautious approach seems particularly apposite to the field of mediation.

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<sup>1</sup> See, for example, OECD, 'Guidance on Evaluating Peacebuilding Activities in Settings of Conflict and Fragility – Improving Learning for Results', Organisation for Economic Co-Operation and Development (Paris: OECD 2012)

<sup>2</sup> Laurie Nathan, 'Towards a New Era in International Mediation', Policy Directions, Crisis States Research Centre, London School of Economics (2010).

<sup>3</sup> Mediation Support Unit, 'United Nations Guidance for Effective Mediation', (New York: United Nations 2012).

<sup>4</sup> See Stabilisation Unit, 2012, 'STABILISATION AND CONFLICT LESSONS RESOURCE', Available from <http://www.stabilisationunit.gov.uk/stabilisation-and-conflict-resources.html> (accessed 9th September 2013).

<sup>5</sup> Although key policy documents such as the 'Report of the Secretary-General on enhancing mediation and its support activities' makes some reference to evidence from the academic literature (for example, relating to 'spoilers', 'hurting stalemates', and the overall effectiveness of peacemaking efforts), the document remains largely reliant on drawing lessons from the experience of the UN and other actors engaged in mediation work. United Nations Security Council, 'Report of the Secretary-General on enhancing mediation and its support activities', S/2009/189.

<sup>6</sup> This article uses the term 'evidence-informed policymaking' instead of 'evidence-based policy making' on the grounds that this term reflects 'a note of realism – evidence in the form of research is rarely complete enough to warrant its domination over all other inputs to a decision' (Culyer and Lomas (p.358)) (Anthony Culyer and Jonathan Lomas, 'Deliberative Processes and Evidence-Informed Decision Making in Healthcare: Do They Work and How Might We Know?', *Evidence and Policy*, 2 (3), pp. 357–71 (2006)).

<sup>7</sup> Oliver Richmond, *Peace In International Relations* (Routledge: London 2008).

<sup>8</sup> For the purposes of this paper mediation will be understood as 'a form of conflict management in which a third party assists two or more contending parties to find a solution without resorting to force' (Marieke Kleiboer, 'Understanding the Success and Failure of International Mediation', *Journal of Conflict Resolution*, 40: 2 (1996), p.360.)

<sup>9</sup> See Saadia Touval, 'Mediation and Foreign Policy', *International Studies Review*, 5/4, pp.91-95 (2003).



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- <sup>13</sup> Laurie Nathan, Monica Duffy Toft 'Correspondence: Civil War Settlements and the Prospects for Peace', *International Security*, 3/1 (2010), pp. 202-10.
- <sup>14</sup> Examples of this approach include: Chester Crocker, Fen Hampson, Pamela Aall 'Herding Cats: Multiparty Mediation in a Complex World' (Washington DC: US Institute of Peace Press 1999); Sumantra Bose, *Contested Lands: Israel-Palestine, Kashmir, Bosnia, Cyprus and Sri Lanka*, (Cambridge: Harvard University Press 2003); Conciliation Resources, 'Striking a Balance: The Northern Ireland Peace Process' (London: Conciliation Resources 1999).
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- <sup>20</sup> Ibid, p.70.
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- <sup>23</sup> Kyle Beardsley 'Intervention Without Leverage: Explaining the Prevalence of Weak Mediators', *International Interactions*, 35/3 (2009), pp.272-297.
- <sup>24</sup> Ibid, p. 7.
- <sup>25</sup> Chester Crocker, 'A Poor Case For Quitting: Mistaking Incompetence for Interventionism', *Foreign Affairs* 79/1 (2000), pp. 183-186.
- <sup>26</sup> Ibid., Griffiths and Whitfield (note 21).
- <sup>27</sup> Jan Selby 'Peace Processes: A Genealogy and Critique', unpublished paper (2008)
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- <sup>30</sup> Human Security Centre, 'Human Security Report 2005. War and Peace in the 21st Century', Canada: University of British Columbia 2005).
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- <sup>83</sup> MSU (note 3).
- <sup>84</sup> Bersagel (note 80). It should be noted that in some instances this personalised approach led to problems. For example in Sri Lanka, Erik Solheim's personal relationships helped to initiate the peace process but also led to a series of problems later on (see Gunnar Sørbo, Jonathan Goodhand, Bart Klem, Ada Elisabeth Nissen, Hilde Selbervik, 'Pawns of Peace: Evaluation of Norwegian peace efforts in Sri Lanka, 1997-2009', Evaluation Report no 5/2011 (Norad, Oslo).
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